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9 **UNITED STATES DISTRICT COURT**  
10 **EASTERN DISTRICT OF CALIFORNIA**

11 DEON CARTER, an individual, on behalf of  
12 himself and all others similarly situated,

13 Plaintiff,

14 v.

15 C&S WHOLESALE GROCERS INC., a  
16 Vermont Corporation; TRACY LOGISTICS  
17 LLC DBA STOCKTON LOGISTICS LLC, a  
18 Delaware Limited Liability Company; C&S  
LOGISTICS OF SACRAMENTO/TRACY  
LLC DBA SACRAMENTO LOGISTICS, a  
Delaware Limited Liability Company; and  
DOES 1 TO 50,

19 Defendants.  
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CASE NO. 2:22-cv-02165-KJM-AC

**ORDER GRANTING STIPULATION TO  
PERMIT PLAINTIFF DEON CARTER  
LEAVE TO FILE A SECOND AMENDED  
COMPLAINT AND TO EXTEND TIME  
FOR DEFENDANTS TO FILE THEIR  
RESPONSIVE PLEADING THERETO**

**ORDER**

Having reviewed and considered the Parties' Stipulation to Permit Plaintiff Deon Carter Leave to File a Second Amended Complaint And To Extend Time for Defendants to File Their Responsive Pleading Thereto (the "Stipulation"), and good cause appearing for the relief requested therein, the Stipulation shall be and hereby is **GRANTED** as follows, using the same defined terms as defined and used in the Stipulation:

1. Plaintiff is hereby granted leave to file the proposed SAC attached to the Stipulation as Exhibit A;

2. Plaintiff shall promptly file the SAC as a separate document in the Court's CM/ECF System, in accordance with L.R. 220;

3. Defendants shall file a response to the SAC within twenty-eight (28) days from the date on which Plaintiff files the SAC; and

4. By entering into the Stipulation, the Parties do not waive and expressly reserve all claims, defenses, and challenges in this action, including, without limitation, as to arbitration of Plaintiff's and/or any putative class member's individual claims and any motion(s) pursuant to Fed. R. Civ. P. 12 as to Plaintiff's SAC and any subsequent amended pleading and/or the claims asserted therein.

**IT IS SO ORDERED.**

DATED: March 2, 2023.

  
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CHIEF UNITED STATES DISTRICT JUDGE